

5/015/044



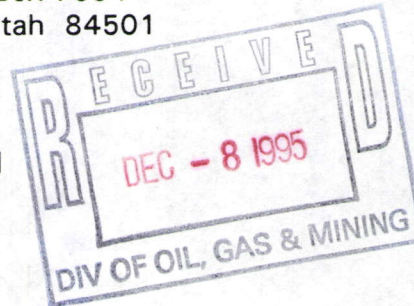
United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District
San Rafael Resource Area
125 South 600 West
P.O. Box 7004
Price, Utah 84501

CERTIFIED MAIL--Return Receipt Requested
Certification No. 254 448 946

Mr. Lee Sutherland
Sutherland Brothers
P.O. Box 218
Monticello, Utah 84535



3809
(UTU-69852)
(UT-067)

DEC - 6 1995

NOTICE OF DECISION

A field examination conducted on December 5, 1995, of your gypsum mine on the White Cloud mining claim group in Emery County, Utah, found six (6) unplugged drill holes on the south to northwest sides of the gypsum stockpile. Your notice, as amended, states that all drill holes will be plugged.

It has been determined that leaving these drill holes open is not in conformance with your notice. You have therefore been found to be operating in noncompliance for not operating according to your accepted notice pursuant to 43 Code of Federal Regulations 3809.1-3 (1994 edition).

You shall plug the six (6) drill holes within 15 days from the receipt of this letter. You shall notify the San Rafael Area Office when the drill holes have been plugged within 48 yours of the plugging. Failure to comply with this notice of noncompliance shall result in your being required to submit a plan of operations and obtain a reclamation bond.

You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 Code of Federal Regulations 3809.4 (1994 edition). If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present, must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in affect during the appeal, unless a written request for a stay is granted.

BLAINE A. MILLER

Area Manager
Acting

cc: Bryant Anderson
Emery County Planning and Zoning
P.O. Box 297
Castle Dale, Utah 84513

Kiran Bhayani

Utah Department of Environmental Health

Division of Water Quality

P.O. Box 144870

Salt Lake City, Utah 84114-4870

Tony Gallegos

Division of Oil, Gas and Mining

355 West North Temple Street

3 Triad Center

Salt Lake City, Utah 84180-1203